## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

ROBERT OLAFSON and	
PATRICIA OLAFSON )	CIVIL ACTION NO. 0410158MLW
v.	
KYLE E. BYRNE, and BFI WASTE SERVICES OF MASSACHUSETTS, LLC, ) and MARGARET HAMILL	) ) ) )

## STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiffs, Robert Olafson and Patricia Olafson, and the defendants, Kyle E. Byrne, BFI Waste Services of Massachusetts, LLC and Margaret Hamill hereby stipulate and agree that all claims, including but not limited to direct claims for injury and claims for contribution:

- by any plaintiff against any defendant that were asserted or that could have been asserted herein;
- 2. by any defendant against any plaintiff that were asserted or could have been asserted herein; and
- by any defendant against any other defendant that were asserted or could have
  been asserted herein,

are dismissed with prejudice, and without costs to any party, or are irrevocably waived and/or forgone. All rights of appeal are waived.

ROBERT OLAFSON and PATRICIA OLAFSON **Plaintiffs** By their attorney,

/s/ John C. Ottenberg

John C. Ottenberg, Esq. (BBO #380955) Ottenberg & Dunkless LLP 101 Arch Street Boston, MA 02110 617-342-8600

KYLE E. BYRNE By his attorney,

/s/ John F. Leahy, Jr.

John F. Leahy, Jr. (BBO #289860) Long & Houlden 100 Summer Street – 11<sup>th</sup> Floor Boston, MA 02100 (617) 439-4777

**BFI WASTE SERVICES** OF MASSACHUSETTS LLC By its attorney,

/s/ Lee Stephen MacPhee

Lee Stephen MacPhee, Esq. (BBO #312400) Morrison Mahoney LLP 250 Summer Street Boston, MA 02210-1181 (617) 439-7500

MARGARET HAMILL By her attorney,

/s/ Bruce R. Fox

Bruce R. Fox, Esq. (BBO #176320) 27B Midstate Office Park Auburn, MA 01501 (866) 290-7435

Dated: December 15, 2005